

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF

PETROLEUM DISTRIBUTING CO.
INC.,

Respondent

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Docket No. TSCA-09-91-0006

ORDER ESTABLISHING
NEW PREHEARING EXCHANGE DUE DATES

In my letter of March 27, 1991 the parties were directed to serve their respective prehearing exchanges on June 7, 1991, with replies thereto on June 17, 1991.


On June 20, 1991 the Respondent served its prehearing exchange. Not only was Respondent's prehearing exchange untimely, but it was also incomplete, in that it failed to provide the information directed on page 2, section entitled By Complainant and Respondent, of the undersigned's letter of March 27, 1991.

On July 3, 1991, Complainant filed a motion for extension of time to July 15, 1991 to complete its prehearing exchange. Complainant's motion was also untimely and failed to establish excusable neglect. There is no indication that Complainant attempted to "comply with the schedule set out by the Chief Administrative Law Judge" as is stated in its motion.

In an effort to allow the parties an opportunity to submit their respective prehearing exchanges, with replies thereto, as directed in the undersigned's letter of March 27, 1991, IT IS HEREBY ORDERED, sua sponte, that the time for the parties to make

the prehearing exchange is extended to August 16, 1991, with
thereto August 26, 1991.

No further extensions of the prehearing exchange requirement
will be granted absent extenuating circumstances.


Henry B. Frazier, III
Chief Administrative Law Judge

Dated: JUL 19 1991
Washington, DC